



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
SB1502

Introduced 2/23/2005, by Sen. Edward D. Maloney

SYNOPSIS AS INTRODUCED:

720 ILCS 375/1.5

from Ch. 121 1/2, par. 157.32

Amends the Ticket Scalping Act. Includes in the requirements that a ticket broker must meet to be exempt from the Act the requirement that, beginning January 1, 2006, the price of a ticket, including all fees and charges, in excess of the printed box office ticket price may not exceed more than 20% of the price printed on the face of the ticket. Provides that this provision does not apply to any tax or fee imposed by the State or by a unit of local government.

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CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Ticket Scalping Act is amended by changing
5 Section 1.5 as follows:

6 (720 ILCS 375/1.5) (from Ch. 121 1/2, par. 157.32)

7 Sec. 1.5. (a) Except as otherwise provided in subsection
8 (b) of this Section and in Section 4, it is unlawful for any
9 person, persons, firm or corporation to sell tickets for
10 baseball games, football games, hockey games, theatre
11 entertainments, or any other amusement for a price more than
12 the price printed upon the face of said ticket, and the price
13 of said ticket shall correspond with the same price shown at
14 the box office or the office of original distribution.

15 (b) This Act does not apply to the sale of tickets of
16 admission to a sporting event, theater, musical performance, or
17 place of public entertainment or amusement of any kind for a
18 price in excess of the printed box office ticket price by a
19 ticket broker who meets all of the following requirements:

20 (1) The ticket broker is duly registered with the
21 Office of the Secretary of State on a registration form
22 provided by that Office. The registration must contain a
23 certification that the ticket broker:

24 (A) engages in the resale of tickets on a regular
25 and ongoing basis from one or more permanent or fixed
26 locations located within this State;

27 (B) maintains as the principal business activity
28 at those locations the resale of tickets;

29 (C) displays at those locations the ticket
30 broker's registration;

31 (D) maintains at those locations a listing of the
32 names and addresses of all persons employed by the

1 ticket broker;

2 (E) is in compliance with all applicable federal,
3 State, and local laws relating to its ticket selling
4 activities, and that neither the ticket broker nor any
5 of its employees within the preceding 12 months have
6 been convicted of a violation of this Act; and

7 (F) that the ticket broker meets the following
8 requirements:

9 (i) maintains a statewide toll free number for
10 consumer complaints and inquiries;

11 (ii) has adopted a code that advocates
12 consumer protection that includes, at a minimum:

13 (a-1) consumer protection guidelines;

14 (b-1) a standard refund policy; and

15 (c-1) standards of professional conduct;

16 (iii) has adopted a procedure for the binding
17 resolution of consumer complaints by an
18 independent, disinterested third party; and

19 (iv) has established and maintains a consumer
20 protection rebate fund in an amount in excess of
21 \$100,000, at least 50% of which must be cash
22 available for immediate disbursement for
23 satisfaction of valid consumer complaints.

24 Alternatively, the ticket broker may fulfill the
25 requirements of subparagraph (F) of this subsection
26 (b) if the ticket broker certifies that he or she
27 belongs to a professional association organized under
28 the laws of this State, or organized under the laws of
29 any other state and authorized to conduct business in
30 Illinois, that has been in existence for at least 3
31 years prior to the date of that broker's registration
32 with the Office of the Secretary of State, and is
33 specifically dedicated, for and on behalf of its
34 members, to provide and maintain the consumer
35 protection requirements of subparagraph (F) of
36 subsection (b) to maintain the integrity of the ticket

1 brokerage industry.

2 (2) (Blank).

3 (3) The ticket broker and his employees must not engage
4 in the practice of selling, or attempting to sell, tickets
5 for any event while sitting or standing near the facility
6 at which the event is to be held or is being held.

7 (4) The ticket broker must comply with all requirements
8 of the Retailers' Occupation Tax Act and all other
9 applicable federal, State and local laws in connection with
10 his ticket selling activities.

11 (5) Beginning January 1, 1996, no ticket broker shall
12 advertise for resale any tickets within this State unless
13 the advertisement contains the name of the ticket broker
14 and the Illinois registration number issued by the Office
15 of the Secretary of State under this Section.

16 (6) Each ticket broker registered under this Act shall
17 pay an annual registration fee of \$100.

18 (7) Beginning January 1, 2006, the price, including all
19 fees and charges, in excess of the printed box office
20 ticket price may not exceed more than 20% of the price
21 printed on the face of the ticket. This item (7) does not
22 apply to any tax or fee imposed by the State or by a unit of
23 local government.

24 The provisions of this amendatory Act of 1995 are severable
25 under Section 1.31 of the Statute on Statutes.

26 (Source: P.A. 89-406, eff. 11-15-95.)